

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ROY D NEWPORT,

No. C-10-04511-WHA (DMR)

Plaintiff(s),

**ORDER RE DEFENDANT'S
DISCOVERY LETTER OF SEPTEMBER
20, 2011 [DOCKET NO. 183]**

v.

BURGER KING CORP,

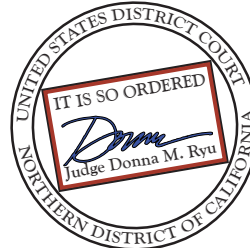
Defendant(s).

The court is in receipt of Defendant Burger King Corporation's ("BKC") discovery letter of September 20, 2011 regarding the failure of Plaintiff/Counter-Defendant Willie C. Cook to respond to discovery. [Docket No. 183.] The court hereby ORDERS that counsel for BKC and counsel for Cook shall meet and confer immediately to attempt to resolve the discovery disputes at issue. If the parties fail to resolve these disputes, they shall submit a joint discovery letter to the court no later than September 26, 2011 in conformance with the court's discovery procedures. [See Docket No. 118.]

The court notes that although Cook's counsel has been granted permission to file a motion to withdraw, Judge Alsup has required that she "continue to fulfill her duty as [Cook's] counsel until, if ever, she is relieved of her duty as counsel." [Docket No. 178.] Accordingly, the court may levy sanctions against any attorney or party that fails to meaningfully participate in the meet and confer process.

IT IS SO ORDERED.

Dated: September 20, 2011



DONNA M. RYU
United States Magistrate Judge